

HOUSE No. 2185

The Commonwealth of Massachusetts

PRESENTED BY:

Susan Williams Gifford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the charitable donation of not readily marketable food.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/17/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/31/2023</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>4/5/2023</i>

HOUSE No. 2185

By Representative Gifford of Wareham, a petition (accompanied by bill, House, No. 2185) of Susan Williams Gifford and Joseph D. McKenna relative to the charitable donation of not readily marketable food. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2306 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the charitable donation of not readily marketable food.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 328 of Chapter 94 of the General Laws as appearing in the 2018
2 Official Edition is hereby amended by inserting, in line 1, before the words “No person”, the
3 following paragraph: -

4 For the purpose of this section, the term "person" shall mean an individual, corporation,
5 partnership, organization, association, or governmental entity, including a retail grocer,
6 wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor
7 or hospital. In the case of a corporation, partnership, organization, association, or governmental
8 entity, the term includes an officer, director, partner, deacon, trustee, council member, or other
9 elected or appointed individual responsible for the governance of the entity; as defined by

- 10 Paragraph (10) of Subsection (b) of Section 1791 of Chapter 13A of the 2015 United States
- 11 Code, also known as the Bill Emerson Good Samaritan Food Donation Act.